

CALIFORNIA HORSE RACING BOARD
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CAL-EXPO HARNESS ASSOCIATION

**TO THE CALIFORNIA HORSE RACING BOARD
HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR**

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RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, November 17, 2008 through Sunday, November 23, 2008. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

11/17/08 (1) Entries/Draw for Thursday 11/20/08

Entries were taken and a draw held for Thursday's card. At the draw conducted at 11:15 a.m. one hundred four (104) head drew to compete in thirteen (13) events.

Scratch time is tomorrow at 9:00 a.m.

11/17/08 (2) Dark Day

Tuesday

11/18/08 (1) Scratch Time for Thursday 11/20/08

At Thursday's scratch time there were twelve (12) driver changes.

11/18/08 (2) Entries & Draw for Friday 11/21/08

Entries were taken and a draw held for Friday's card. At the draw conducted at 12:45 p.m. one hundred twenty one (121) head drew to compete in fifteen (15) events.

Scratch time is tomorrow at 9:00 a.m.

11/18/08 (3) **Dark Day**

Wednesday

11/19/08 (1) **Scratch Time for Friday 11/21/08**

At Friday's scratch time there were sixteen (16) driver changes, one (1) scratch and an also eligible horse moved in to the position of the scratched horse.

11/19/08 (2) **Trainer Test/Paul Hines**

Licensee Paul Hines took his trainer's test this a.m. The third time was a charm as Paul scored well on his test and will be assembling his own stable.

11/19/08 (3) **Entries & Draw for Saturday 11/22/08**

Entries were taken and a draw held for Saturday's card. At the draw conducted at 11:30 a.m. one hundred twenty one (121) head drew to compete in fifteen (15) events.

Scratch time is tomorrow at 9:00 a.m.

11/19/08 (4) **Dark Day**

Thursday

11/20/08 (1) **Scratch Time for Saturday 11/22/08**

At Saturday's scratch time there were six (6) driver changes and no scratches.

11/20/08 (2) **Qualifiers/Entry**

Entries were taken and a 'qualifying sheet' produced for four (4) qualifying races with twenty seven (27) participants. Post time for these races is 4:00 p.m. today

11/20/08 (3) **Luke Plano Film Review**

Driver Luke Plano appeared in the steward's office as requested to review his drive in Race #10 on Saturday, November 15, 2008.

After reviewing films and discussing the situation with Driver Plano, the following ruling was issued. Steward Wayne Oke dissented, feeling a three (3) day suspension was warranted.

Ruling # 40

Driver Luke Plano, who drove "Laci's-Town" in the Tenth Race on Saturday, November 15, 2008, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (G) (Driving Rules - Let a Horse Pass Inside Needlessly).

- 11/20/08 (4) **Qualifying Races**
Four (4) qualifying races were held commencing at 4:00 p.m. under the supervision of Stewards Baker and McLaren. In these events twenty (20) of twenty seven (27) participants were successful in their qualifying efforts.
- 11/20/08 (5) **Race #6 – Inquiry/No Change**
The stewards lit the inquiry sign at the conclusion of Race #6 to investigate an incident at the 3/4 mile marker when #1 “Silver Bloom” (Rick Plano) and #5 “Mamahaskerstoo” (Steve Wiseman) where in close quarters. After reviewing films and talking to the drivers involved, the stewards concluded there were no rule violations, thus no change.
- 11/20/08 (6) **Race #13 – Rough Driving**
At the conclusion of Race #13, the stewards contacted James Lackey, the driver of #3 “Nine K”, was summoned to film review to examine his driving tactics. More to follow.
- 11/20/08 (7) **Program Changes**
2nd Race Declaration - #4 “Novelist” – Trainer Tim Maier
Refund: \$0 Injured – Dr. Robert Goodbary
5th Race Declaration - #7 “Foxy Lady De Vie” – Trainer Robert Johnson
Refund: \$0 Injured – Dr. Robert Goodbary
8th Race Declaration - #5 “Preciosita” – Trainer Rocky Stidham
Refund: \$0 Injured – Dr. Robert Goodbary
12th Race Program Correction - #8 “Princess Markoni”
Should Read “Continues on Lasix”
- 11/20/08 (8) **Attendance and Handle**
- | | |
|------------------------------|------------------|
| Attendance | 240 |
| Live Handle (On Track) | \$35,675 |
| Handle (In State) | \$280,701 |
| <u>Handle (Out of State)</u> | <u>\$203,977</u> |
| Total Handle | \$520,353 |

Friday

- 11/21/08 (1) **Owner/Trainer Disagreement – Stewards Scratches**
Trainer Tim Clevenger appeared in the steward’s office to inform the Board of Stewards that four horses owned by Leroy and Sherry Lynn Kirk had been removed from his barn by Ms. Kirk. One horse, “Air Ivy”, was ‘in the go’ tonight (11/21/08) and was scratched by the stewards. Two horses, “Photo Delight” and “Trishie May”, were programmed to compete on Saturday’s (11/22/08) card and were also scratched by the stewards. More to follow.
- 11/21/08 (2) **Film Review – James Lackey**
Driver James Lackey appeared as requested in the steward’s office to review his drive on #3 “Nine K” in Thursday’s thirteenth (13th) race. Driver Lackey, who was ‘parked’, was extremely tight on #7 “Festive Viking” (Luke Plano) and in fact, bumped the latter’s arch several times. Driver Lackey freely admitted that he let his emotions get the better of him and

acknowledged the unprofessionalism of his actions. The stewards, in light of Lackey's acknowledgement of his error and a vow to have no reoccurrences of this type of incident, put Lackey on notice that any future incidents of this nature would be dealt with severely, i.e. "days". Lackey seemed very genuine in his remorse and thanked the Board of Stewards for their consideration.

11/21/08 (3) **Ninth Race – Claim**

#4 "Wicked Island", claimed from James Covemaker (Lessee) by Frank Navarrez for Four Thousand Five Hundred (\$4,500) Dollars. The new trainer will be Jose Ramirez.

11/21/08 (4) **Clean Card**

Today's card was run with no reportable incidents. Good racing, good handle.

11/21/08 (5) **Program Changes**

8th Race Declaration - #2 "Air Ivy" – Trainer Tim Clevenger

Refund: \$7 Stewards

8th Race Declaration - #5 "Lady Tulane" – Trainer Matias Ruiz

Refund: \$10 Injured – Dr. Robert Goodbary

11/21/08 (6) **Attendance and Handle**

Attendance	371
Live Handle (On Track)	\$56,588
Handle (In State)	\$571,464
<u>Handle (Out of State)</u>	<u>\$325,096</u>
Total Handle	\$953,148

Saturday

11/22/08 (1) **Entries and Draw for Wednesday 11/26/08**

Entries were taken and a draw held for Wednesday's program (Thanksgiving eve, as opposed to the regular Thursday night schedule). At the 12:15 p.m. draw, one hundred fourteen (114) head were drawn to compete in fourteen (14) events. Scratch time is this evening at 8:00 p.m.

11/22/08 (2) **Fifty Three Non-Participants**

Despite having forty-three (43) races over the three (3) day schedule, fifty three (53) horses entered to race were not drawn in to race.

11/22/08 (3) **Informal Hearing – Owner Sherry Kirk/Trainer Tim Clevenger**

An informal hearing was held in the steward's office to investigate the scratching of three (3) horses owned in part by Ms. Kirk. After some discussion, the stewards concluded that a conversation about training bills escalated into a heated argument during which Clevenger ordered Ms. Kirk "to get her horses out of his barn". Ms. Kirk felt obligated to follow his order, thus necessitating the scratches (more to follow).

11/22/08 (4) **Informal Hearing – Tim Maier**

Trainer Tim Maier appeared in the steward's office in response to California Horse Racing Board Complaint #08SW-0108 – Flunixin Overage. Also present were the Board of Stewards, California Horse Racing Board Supervising Investigator Greg Fabbri and State Veterinarian Bob Goodbary. Trainer Maier acknowledged his responsibility in the matter. This was his first medication infraction, thus the following ruling was issued:

Ruling # 41

Trainer Tim Maier, who started "Cherry Tree Rojo" in the Eleventh Race on November 01, 2008, at Cal-Expo, is hereby fined the sum of Five Hundred (\$500) Dollars pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule #1843 (D) (Medications, Drugs and Other Substances – Flunixin (96 ng/ml) in Excess of Permitted Level) Class IV.

11/22/08 (5) **Scratch Time for Wednesday 11/26/08**

At scratch time for Wednesday's card, there were nine (9) driver changes and no scratches.

11/22/08 (6) **Race #1 – Claim/Protest**

The horse "Art's Clown" was claimed from this race by the partnership of "Hot Flash Racing", "Cliff Shurman" and Trainer Rocky Stidham. The horse was claimed from Bada Bing Stable and Owen Eiler, trained by Frank Petrelli. Hot Flash Racing is wholly owned by Veterinarian Dr. Audrey Clifton. Immediately after the claim was announced, Trainer Petrelli and subsequently, the owner of Bada Bing Stable launched a protest with the stewards. The Board of Stewards referred the matter to California Horse Racing Board Supervising Investigator Greg Fabbri. More to follow.

11/22/08 (7) **Race #13 – Inquiry/No Change**

At the conclusion of Race #13, the stewards flashed the 'inquiry' sign to investigate an incident 'mid stretch' when #8 "Andover Victory" (Rick Plano), the eventual third (3rd) place finisher went 'offstride' briefly mid stretch. After examining films, the stewards concluded that #8 complied with the breaking rule, thus no change.

11/22/08 (8) **Good Week for Cal Breds**

During the course of the current week there were eight (8) races written for 'Cal Breds', including four (4) California Sire Stake events. Four (4) races went as Cal Bred, two (2) races filled as 'Cal Bred Preferred' and two (2) did not fill.

11/22/08 (9) **Program Changes**

1st Race Declaration - #6 "Wishcometrue" – Trainer Greig Watson
 Refund: \$2 Injured – Dr. Robert Goodbary
 7th Race Declaration - #2 "Bob Lee" – Trainer Matias Ruiz
 Refund: \$1 Injured – Dr. Robert Goodbary
 7th Race Declaration - #4 "Hanover DGN" – Trainer Lou Pena
 Refund: \$1 Injured – Dr. Robert Goodbary

13th Race Declaration - #1 "Photo Delight" – Trainer Tim Clevenger

Refund: \$0 Stewards

14th Race Declaration - #4 "Trishie Mae" – Trainer Tim Clevenger

Refund: \$0 Stewards

11/22/08 (10) **Attendance and Handle**

Attendance	394
Live Handle (On Track)	\$55,653
Handle (In State)	\$489,718
<u>Handle (Out of State)</u>	<u>\$310,472</u>
Total Handle	\$855,043

RULINGS ISSUED THIS WEEK

- | | | |
|----------|----|--|
| 11/20/08 | 39 | Driver Lou Pena, who drove "Bronte Anas Boy" in the Sixth Race at Cal-Expo on Saturday, November 15, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position). |
| 11/20/08 | 40 | Driver Luke Plano, who drove "Laci's-Town" in the Tenth Race on Saturday, November 15, 2008, is hereby fined the sum of Two Hundred (\$200) Dollars for violation of California Horse Racing Board Rule #1721 (G) (Driving Rules - Let a Horse Pass Inside Needlessly). |
| 11/22/08 | 41 | Trainer Tim Maier, who started "Cherry Tree Rojo" in the Eleventh Race on November 01, 2008, at Cal-Expo, is hereby fined the sum of Five Hundred (\$500) Dollars pursuant to California Horse Racing Board Rule #1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule #1843 (D) (Medications, Drugs and Other Substances – Flunixin (96 ng/ml) in Excess of Permitted Level) Class IV. |
| 11/22/08 | 42 | Driver David Siegel, who drove "Easter Call" in the Fifth Race on Friday, November 21, 2008, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Talking During Post Parade). |
| 11/22/08 | 43 | Driver Lou Pena, who drove "Phipps" in the Fifth Race on Friday, November 21, 2008, is hereby fined the sum of Fifty (\$50) Dollars for violation of California Horse Racing Board Rule #1530 (Cases Not Covered – Talking During Post Parade). |

W E E K L Y S U M M A R Y

ATTENDANCE REPORT -

The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
20-Nov	2	7	NOVELIST	MAIER	Injured	Goodbary	\$0.00
	5	7	FOXY LADY DE VIE	JOHNSON	Injured	Goodbary	\$0.00
	8	5	PRECIOSITA	STIDHAM	Injured	Goodbary	\$0.00
21-Nov	8	5	LADY TULANE	RUIZ	Injured	Goodbary	\$10.00
22-Nov	1	6	WISHCOMETRUE	WATSON	Injured	Goodbary	\$2.00
	7	2	BOB LEE	RUIZ	Injured	Goodbary	\$1.00
	7	4	HANOVER DGN	PENA	Injured	Goodbary	\$1.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	14,125.00
Fresno Club One	\$	3,249.40
Golden Gate	\$	62,927.60
Monterey	\$	10,577.60
Pleasanton	\$	30,478.00
Sacramento	\$	128,598.60
San Jose	\$	49,440.40
San Mateo	\$	75,847.30
Santa Rosa	\$	10,328.20
Stockton	\$	26,052.90
Tulare	\$	-
Vallejo	\$	37,421.80
Racing Fairs	\$	-
Out of State	\$	839,543.98

CAL-EXPO HARNESS ASSOCIATION

SUMMARY

2008

	Mon 11/17	Tues 11/18	Wed 11/19	Thurs 11/20	Fri 11/21	Sat 11/22	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	1
Cal-Bred Races	A	A	A	3	2	2	7	16
Claims	R	R	R	0	1	1	2	18
Disqualifications	K	K	K	0	0	0	0	16
Inquiries	D	D	D	1	0	1	2	39
Refunds	A	A	A	0	2	3	5	78
Rulings	Y	Y	Y	2	0	3	5	43

Stewards Attendance: Stewards Oke, Baker and McLaren were in attendance.

All drivers submitted to a breath analyzer test.

Michael W. "Wayne" Oke, Steward

Grant Baker, Steward

Brent McLaren, Steward